



# Town of Merrimack, New Hampshire

Community Development Department  
6 Baboosic Lake Road  
Town Hall - Lower level - East Wing  
Planning - Zoning - Economic Development - Conservation

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**MERRIMACK ZONING BOARD OF ADJUSTMENT  
AGENDA FOR WEDNESDAY, JUNE 30, 2021  
MATTHEW THORNTON ROOM  
7:00 P.M.**

**PLEASE TAKE NOTICE THAT**, in accordance with the provisions of NH RSA 676:7, a Public Hearing will be held by the Zoning Board of Adjustment of the Town of Merrimack, in the Matthew Thornton Room on the second floor of the West Wing of Town Hall, at 8 Baboosic Lake Road, on Wednesday, June 30, 2021 at 7:00 P.M. to consider the petitions described in the agenda below.

*(clicking on a link in **blue text** will display the staff report for the selected application, clicking a link in **green text** will display a Google Map photo of the site location)*

1. **Call to Order**
2. **Roll Call**
3. ~~**Saint Gobain Performance Plastics Corporation (petitioner/owner)** — Appeal of an Administrative Decision (under RSA 674:34) that attached additional requirements to the issuance of a building permit. The parcel is located at 701 Daniel Webster Highway in the I-1 (Industrial), Aquifer Conservation Districts, and Wellhead Protection Area. Tax Map 6E, Lot 003-02. Case # ZBA 2021-08. **This item is continued from the May 20, 2021 meeting.** — **WITHDRAWN BY PETITIONER**~~
4. ~~**Bilden Properties, LLC (petitioner/owner)** — Appeal of Administrative Decision determining that the current use of the property is a “junk yard” per the Town Zoning Ordinance and NH RSA 236:112. The parcel is located at 719 Daniel Webster Highway in the C-2 (General Commercial), R-4 (Residential) and Planned Residential Districts. Tax Map 7E Lot 052. Case # ZBA 2021-07. — **To be rescheduled to July 28 meeting due to notice error.**~~
5. **Nickolay & Tanya Gaponov (petitioner/owner)** – [Appeal of Administrative Decision determining that the current use of the property is a “contractor yard” per the Town Zoning Ordinance.](#) The parcel is located at 109 Bedford Road in the R-1 (Residential, by soils) and Aquifer Conservation Districts. [Tax Map 6C, Lot 194.](#) Case # ZBA 2021-17.
6. **Erick’s Custom Exhaust (petitioner) and D-Kern II, LLC (owner)** – [Special Exception under Section 2.02.3\(C\) \(1\) of the Zoning Ordinance to permit an automobile service and repair station in the C-2 \(General Commercial\) District.](#) The parcel is located at 386 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation, and Elderly Zoning Districts. [Tax Map 4D-3, Lot 028.](#) Case # ZBA 2021-18.
7. **Richard Morin (petitioner/owner)** – [Variance under Section 3.05 of the Zoning Ordinance to permit the construction of a detached garage 15 feet from the front property line whereas 30 feet is required.](#) The parcel is located at 125 Amherst Road in the R-1 (Residential, by map) and Aquifer Conservation Districts. [Tax Map 4B, Lot 083.](#) Case # ZBA 2021-19.
8. **Robert Jones (petitioner/owner)** – [Variance under Section 3.02 of the Zoning Ordinance to permit a lot \(following a lot line adjustment\) with 18,644 square feet of lot area whereas 40,000 square feet is required and 120 feet of frontage whereas 150 feet is required.](#) The parcel is located at 47 Lamson Drive in the R-4 (Residential) District. [Tax Map 2B, Lot 175.](#) Case # ZBA 2021-20.
9. **Robert Jones (petitioner) and Lloyd Maclean (owner)** – [Variance under Section 3.02 of the Zoning Ordinance to permit a lot \(following a lot line adjustment\) with 27,628 square feet of lot area whereas 40,000](#)

[square feet is required](#). The parcel is located at 19 Winchester Drive in the R-4 (Residential) District. [Tax Map 2B, Lot 176](#). Case # ZBA 2021-21.

**10. Michael Petrovick (petitioner) and James Turbyne (owner) – [Variance under Section 3.02.A of the Zoning Ordinance to permit a Two Family Residence in the R-1 \(Residential\) District whereas only Single Family Residences are permitted](#)**. The parcel is located at 35 Tinker Road in the R-1 (Residential, by soils) and Aquifer Conservation Districts. [Tax Map 2C, Lot 014](#). Case # 2021-22.

**11. Discussion/possible action regarding other items of concern**

**12. Approval of Minutes – May 26, 2021**

**13. Adjourn**

Copies of application materials are available at the Merrimack Community Development Department Office in Merrimack Town Hall for review by the general public between the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday. It is the policy of the Board not to take up any new business after 10:00 P.M. and to adjourn by 10:30 P.M.

Posted to website: 6/28/2021